

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 06-02-08

Christopher M. Schierloh (CS-6644)  
**CASEY & BARNETT, LLC**  
317 Madison Avenue, 21<sup>st</sup> Floor  
New York, New York 10017  
Tel: 212-286-0225  
Fax: 212-286-0261  
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
FORTIS CORPORATE INSURANCE a/s/o  
NOBLE AMERICAS CORP. and NOBLE  
RESOURCES, S.A.,

Plaintiff,

08CV 4504 (DAB)  
ECF CASE

-against-

M/V LOVELY FALCON (ex M/V FLAG  
SPLENDOUR) her engines, tackle, apparel,  
etc., *in rem*; THE VENIAMIS GROUP, and  
GOLDEN UNION SHIPPING CO. S.A. *in*  
*personam*,

Defendants.  
-----X

**FIRST AMENDED EX PARTE ORDER FOR PROCESS OF MARITIME  
ATTACHMENT**

WHEREAS, on May 27, 2008 Plaintiff filed a First Amended Verified Complaint herein for damages amounting to **\$36,486.30**, and praying for the issuance of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendants property within the District of this Court; and

WHEREAS, the Court has reviewed the Verified Complaint and the Supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

MICROFILMED

JUN - 3 2008 -9 00 AM

ORDERED that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendants by any garnishees within this District including, but not limited to, ABN Amro, Bank of America, American Express Bank, Bank of New York, Citibank, Deutsche Bank A.G., HSBC Bank USA Bank, J.P. Morgan Chase, Standard Chartered Bank, and/or Wachovia Bank, N.A. in an amount up to and including **\$36,486.30**, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court, and it is further

ORDERED that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission to each garnishee; and it is further

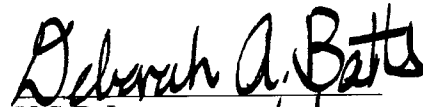
ORDERED that service on any garnishee as described above is deemed effective continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day, and it is further

ORDERED that pursuant to Federal Rule of Civil procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service of process by any other means, and it is further

ORDERED that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: May \_\_\_\_, 2007

SO ORDERED:

  
U.S.D.J. 6/2/08